

**SENATE JOURNAL  
61ST LEGISLATURE  
TWELFTH LEGISLATIVE DAY**

Helena, Montana  
January 19, 2009

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senator Laible, excused. Quorum present.

Correctly printed: **SB 11, SB 23, SB 43, SB 48, SB 86, SB 116, SB 194, SB 241, SB 242, SB 243, SB 244, SB 245, SB 246.**

Correctly engrossed: **SB 84, SB 98.**

**LEGISLATIVE ADMINISTRATION** (Curtiss, Chairman):

1/19/2009

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 1:00 p.m., Saturday, January 17, 2009:

TITLE

NAME

Pages:

Jonathan Habel, Clancy  
Kaitlyn Nolte, Colstrip  
Chris Sobonya, Helena

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, January 19, 2009:

TITLE

NAME

Pages:

Corey Weber, Helena  
Karin Thompson, Helena  
Erik Andersen, Clancy  
Ericka Metroka, Helena  
Katherine Baum, Billings

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION AND CULTURAL RESOURCES** (Laible, Chairman):

1/19/2009

**SB 41**, do pass. Report adopted.

**SB 67**, do pass. Report adopted.

**SB 165**, introduced bill, be amended as follows:

1. Page 4, line 30.

**Following:** "July"

**Strike:** "30"

**Insert:** "20"

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

2. Page 5, line 5.

**Following:** "July"

**Strike:** "30"

**Insert:** "20"

3. Page 5, line 10.

**Following:** "~~10~~"

**Strike:** "30"

**Insert:** "20"

4. Page 12, line 8.

**Following:** "commissioners"

**Strike:** "on" through "August"

**Insert:** "by the second Friday in September"

5. Page 13, line 9.

**Following:** "commissioners"

**Strike:** "on"

**Insert:** "by"

6. Page 14, line 13.

**Following:** "commissioners"

**Strike:** "on"

**Insert:** "by"

7. Page 15, line 15.

**Strike:** "On or before July 30"

**Insert:** "No later than July 20"

8. Page 15, line 24.

**Following:** "**budget.**"

**Strike:** "Before the second Monday of August"

**Insert:** "On or before August 20"

9. Page 19, line 6.

**Following:** "commissioners"

**Strike:** "on"

**Following:** "August"

**Strike:** "or before"

**Insert:** "by"

And, as amended, do pass. Report adopted.

**SJR 2**, do pass. Report adopted.

**PUBLIC HEALTH, WELFARE AND SAFETY** (Brown, Chairman):

1/19/2009

**SB 26**, introduced bill, be amended as follows:

1. Page 1, line 18 through line 19.

**Following:** "accreditation by" on line 18

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**Strike:** remainder of line 18 through "or" on line 19  
**Insert:** "organizations that accredit hospitals or by"

2. Page 1, line 20.

**Following:** "hospital" on line 20  
**Insert:** "or an outpatient center for surgical services"

3. Page 2, line 6 through line 12.

**Following:** "may" on line 6  
**Strike:** remainder of line 6 through "(b)" on line 12

4. Page 2, line 20.

**Strike:** "(i)"

5. Page 2, line 24 through line 26.

**Strike:** subsection (3)(b)(ii) in its entirety

6. Page 3, lines 4 and 5.

**Strike:** "equitable" on line 4  
**Following:** "requirements" on line 4  
**Strike:** remainder of line 4 through "The" on line 5  
**Insert:** "if the"  
**Following:** "requirements" on line 5  
**Strike:** "may"  
**Insert:** "do"  
**Following:** "violate the" on line 5  
**Insert:** "unfair trade practices and consumer protection"

7. Page 3, line 6.

**Following:** "30-14-103"  
**Strike:** ".\_"  
**Following:** "¿;"  
**Insert:** "or Title 30, chapter 14, part 2;"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE GOVERNOR**

Secretary Miller read a letter from the Honorable Brian Schweitzer listing the following interim board and commission appointments and requiring confirmation by the Montana Senate:

**AIR POLLUTION CONTROL ADVISORY COUNCIL**

Don Potts, Missoula  
Bovard Tiberi, Bozeman

**ALTERNATIVE HEALTH CARE BOARD**

Kathleen Stevens, Billings  
Nancy Aagenes, Helena  
Margaret Beeson, Billings

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS**

Carl Thuesen, Billings  
Shelly Engler, Bozeman  
Teresa Wilson, Butte  
Bayliss Ward, Bozeman

**MONTANA ARTS COUNCIL**

Jackie Parsons, Browning  
Kathleen Schlepp, Miles City  
Arlene Parisot, Helena  
Tracy Linder, Molt  
Corwin "Corky" Clairmont, Ronan  
Jane Deshner, Billings

**BOARD OF BANKING**

Evelyn Casterlin, Vida  
Mark Huber, Helena  
Carolyn Colman, Great Falls  
John King, Kalispell

**BOARD OF BARBERS AND COSMETOLOGISTS**

Maggie Burton-Blize, Missoula  
Angela Printz, Livingston  
Jamie Ausk Crisafulli, Glendive  
Wendell Petersen, Missoula  
William A. Graves, Great Falls  
Maxine Collins, Helena  
Delores Lund, Plentywood

**CAPITAL INVESTMENT BOARD**

Gary Buchanan, Billings  
Robert W. Minto, Missoula  
Robert Pancich, Great Falls  
Lawrence A. Anderson, Great Falls  
Ellen Feaver, Helena

**BOARD OF CHIROPRACTORS**

Scott Hansing, Helena

**CLINICAL LABORATORY SCIENCE PRACTITIONERS**

Rosemary Shively, Helena  
Charliene Staffanson, Deer Lodge  
Barbara Henderson, Miles City

**COUNTY PRINTING BOARD**

Dan Killoy, Miles City  
Gary A. Macdonald, Wolf Point  
Calvin J. Oraw, Sidney  
Marianne Roose, Eureka  
Milton Wester, Laurel

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**BOARD OF DENTISTRY**

Aimee R. Ameline, Great Falls

**ELECTRICAL BOARD**

Marlene Egan, Helena

Jack Fisher, Butte

**FACILITY FINANCE AUTHORITY**

Matthew B. Thiel, Missoula

**BOARD OF FUNERAL SERVICE**

Ronald E. Brothers, Hamilton

Bart Thompson, Helena

John Tarr, Helena

William Cronin, Havre

**BOARD OF HAIL INSURANCE**

Gary Gollehon, Brady

**BOARD OF HEARING AID DISPENSERS**

Stephen Kramer, Billings

Gene W. Bukowski, Billings

**MONTANA HISTORICAL SOCIETY BOARD OF TRUSTEES**

Sharon Lincoln, Billings

Janene Caywood, Missoula

Ed Smith, Helena

**BOARD OF HORSERACING**

Susan Austin, Kalispell

Charles (Al) Carruthers, Butte

John Ostlund, Billings

Ray "Topper" Tracy, Stevensville

Susan Egbert, Helena

**BOARD OF LIVESTOCK**

Brett DeBruycker, Dutton

**LIVESTOCK LOSS REDUCTION AND MITIGATION BOARD**

Elaine Allestad, Big Timber

Larry Trexler, Hamilton

Hilliard McDonald, Judith Gap

Janelle Holden, Livingston

Brad Radtke, Drummond

Whitney Wankel, Bozeman

James Cross, Kalispell

**BOARD OF MEDICAL EXAMINERS**

Patrick Boylan, Corvallis

James Upchurch, Hardin

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Mary Anne Guggenheim, Helena  
Dean Center, Bozeman

**BOARD OF NURSING**

Sharon Dschaak, Wolf Point  
Laura Weiss, Great Falls  
Kathy Hayden, Missoula  
Heather Onstad, Helena

**BOARD OF NURSING HOME ADMINISTRATORS**

Carla Neiman, Plains  
Ken Chase, Billings  
Joshua Brown, Columbia Falls  
Thomas Klotz, Glasgow

**BOARD OF OCCUPATIONAL THERAPY PRACTICE**

Amy J. Gilbertson, Great Falls

**BOARD OF OPTOMETRY**

Delores Hill, Mosby  
Douglas Kimball, Bozeman  
Randall Hoch, Lewistown

**BOARD OF PERSONNEL APPEALS**

Jack A. Holstrom, Helena  
Quinton Nyman, Helena

**BOARD OF PHARMACY**

Susan Hagan, Glasgow  
Frances Carlson, Great Falls  
Rebekah Matovich, Billings  
Lee Ann Bradley, Missoula

**BOARD OF PHYSICAL THERAPY EXAMINERS**

Robin Peterson Smith, Billings  
Ron Peterson, Cascade  
Richard Smith, Missoula

**BOARD OF PLUMBERS**

David Lindeen, Huntley  
Debi Friede, Havre  
Steve Carey, Frenchtown  
Marc Golz, Helena  
Scott Lemert, Livingston  
Jeffrey Gruizenga, Billings

**PRIVATE ALTERNATIVE ADOLESCENT RESIDENTIAL OR OUTDOOR PROGRAMS BOARD**

John Santa, Kalispell  
Mary Alexine, Eureka  
Darcie Kelly, Helena

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Penny James, Trout Creek  
Tim Callahan, Great Falls

**BOARD OF PRIVATE SECURITY**

Mark Chaput, Billings  
Raymond Murray, Missoula  
Holly Dershem-Bruce, Glendive

**PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Casey E. Johnston, Butte  
Vic Cundy, Bozeman  
James Hahn, Billings  
Tom Tanner, Arlee

**BOARD OF PSYCHOLOGISTS**

Marla Lemons, Butte  
Linda Holden, Valier  
Susan Mattocks, Miles City

**BOARD OF PUBLIC ACCOUNTANTS**

Beatrice Rosenleaf, Anaconda  
Jack Meyer, Missoula

**BOARD OF PUBLIC EDUCATION**

Bernard Olson, Lakeside

**PUBLIC EMPLOYEES RETIREMENT BOARD**

Dianna Porter, Butte  
Darcy Halpin, Belgrade  
Loren Bough, Big Sky

**PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL**

Winnie Ore, Helena  
Mike Anderson, Havre  
Bonnie Wallem, Kalispell  
Mike Reddick, Helena  
James Marble, Stevensville  
Tony Harbaugh, Miles City  
Steve Barry, Helena  
Levi Talkington, Lewistown  
Dennis McCave, Billings  
Frances Weeks, Poplar  
Robert McCarthy, Butte  
Raymond Murray, Missoula  
Hannah Tillman, Crow Agency

**BOARD OF RADIOLOGIC TECHNOLOGISTS**

Mike Nielsen, Billings

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**BOARD OF REAL ESTATE APPRAISERS**

Dennis Hoeger, Bozeman  
Jennifer McGinnis, Polson  
Marilyn Rose, Great Falls  
Peter Fontana, Great Falls  
Kraig P. Kosena, Missoula

**BOARD OF REALTY REGULATION**

Shirley McDermott, Laurel  
C.E. "Abe" Abramson, Missoula  
Connie Wardell, Billings  
Larry Milless, Corvallis  
Pat M. Goodover II, Great Falls

**BOARD OF REGENTS**

Clayton Christian, Missoula  
Mitchell Jessen, Dillon

**RESEARCH AND COMMERCIALIZATION TECHNOLOGY BOARD**

Jim Davison, Anaconda

**BOARD OF RESPIRATORY CARE PRACTITIONERS**

Thomas Fallang, Butte  
Carl Hallenborg, Helena

**BOARD OF SANITARIANS**

James Zabrocki, Miles City  
Kathleen Driscoll, Hamilton  
Gene Townsend, Three Forks  
Gerald Cormier, Billings

**BOARD OF SOCIAL WORK EXAMINERS AND PROFESSIONAL COUNSELORS**

Ann Gilkey, Helena  
Linda Crummett, Billings  
Treaasa Glinwater, Ronan  
John Lynn, Missoula  
Henry Pretty On Top, Lodge Grass

**BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS**

Sharon Dinstel, Colstrip  
James L. Sias, Ronan  
Cheri Fjare, Big Timber  
Tina Hoagland, Billings  
Lynn Harris, Missoula

**STATE COMPENSATION INSURANCE FUND BOARD**

Joe Dwyer, Billings  
Wallace M. Yovetich, Billings  
Boyd Taylor, Butte  
Thomas R. Heisler, Great Falls

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**STATE TAX APPEALS BOARD**

Karen E. Powell, Helena

**TRANSPORTATION COMMISSION**

Barb Skelton, Billings

Rick Griffith, Butte

Diann Seymour-Winterburn, Helena

**BOARD OF VETERANS' AFFAIRS**

C.E. Crookshanks, Missoula

Lloyd Jackson, Pablo

Bob Pavlovich, Butte

Harvey Rattey, Glendive

James Heffernan, Helena

Donald Kettner, Glendive

**BOARD OF VETERINARY MEDICINE**

Barbara Calm, Kila

Kim K. Baker, Hot Springs

Jean Lindley, Miles City

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence:

1/17/2009

**HB 19**, introduced by Ingraham

**HB 24**, introduced by Morgan

**HB 136**, introduced by Boland

**HB 146**, introduced by MacLaren

**HB 149**, introduced by Menahan

**HB 151**, introduced by Becker

**MOTIONS**

Senator Peterson moved that SB 68 be returned to the Agriculture, Livestock and Irrigation Committee. Motion carried.

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced, read first time, and referred to committees:

**SB 247**, introduced by Bales, Black, T. Brown, Cohenour, Cooney, Ebinger, Hollandsworth, Jackson, Jones, Laible, Regier, Ripley, Schmidt, Stewart-Peregoy, Vincent, referred to Business, Labor, and Economic Affairs.

**SB 248**, introduced by Brueggeman, Ankney, Furey, Lewis, J. Tropila, Zinke, referred to Education and Cultural Resources.

**SB 249**, introduced by Curtiss, Bennett, McGee, Shockley, Vincent, referred to Judiciary.

**SB 250**, introduced by Wanzenried, referred to Judiciary.

**SB 251**, introduced by Wanzenried, Augare, Bales, Calf Boss Ribs, Branae, Cohenour, Cooney, Driscoll, Erickson, Fleming, Grinde, Hamilton, Hollenbaugh, Jent, Juneau, Kaufmann, Keane, McClafferty, P. Noonan, Phillips, Stewart-Peregoy, Villa, Williams, Wilmer, referred to Business, Labor, and Economic Affairs.

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Jent in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 72** - Senator Laslovich moved **SB 72** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Laible.

Total 1

**SB 2** - Senator Cooney moved **SB 2** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Laible.

Total 1

**SB 29** - Senator Wanzenried moved **SB 29** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke,

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 54** - Senator Steinbeisser moved **SB 54** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 88** - Senator M. Tropila moved **SB 88** do pass. Senator M. Tropila moved **SB 88**, second reading copy, be amended as follows:

1. Page 14, line 9.

**Following: "limits"**

**Insert: "or establish or alter area of school zone"**

2. Page 15.

**Following: line 6**

**Insert: "(6) A local jurisdiction establishing or altering the area of a school zone shall consult with the department of transportation and the commission if the school zone includes a state highway or a federal-aid highway or extension of a federal-aid highway."**

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 88** - Senator M. Tropila moved **SB 88**, as amended, do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 139** - Senator Perry moved **SB 139** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Zinke, Mr. President.  
Total 42

Nays: Erickson, Gallus, Kaufmann, Keane, Stewart-Peregoy, Williams, Windy Boy.  
Total 7

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 157** - Senator Shockley moved **SB 157** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman Jent moved the Committee of the Whole report be adopted. Report adopted unanimously.

**MOTIONS**

Senator Bales moved that SB 157 be re-referred to Finance and Claims. Motion carried.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 11** passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 23** passed as follows:

Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 43** passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 48** passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**SB 116** passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

SENATE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2009

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Laible.  
Total 1

**UNFINISHED BUSINESS**

Senator Hansen moved that Representative Warburton's name be added to SB 8 and SJR 6. Motion carried.

**SPECIAL ORDERS OF THE DAY**

Senator R. Brown introduced the Pages for the week of January 19-24, 2009.

Senator Peterson announced the Republicans would caucus upon adjournment of the Senate.

**ANNOUNCEMENTS**

Senator Gebhardt announced that until transmittal, the Joint Select Committee on Reappraisal would meet on Tuesdays and Fridays at 9:00 a.m. in Room 335.

Senator Kaufmann reminded the Senate about recycling opportunities on the Senate floor.

Senator Williams announced inauguration activities being held in the Capitol on January 20, 2009.

President Story stated that requests for fiscal notes or revised fiscal notes should be made through the Secretary of Senate's Office.

President Story requested that Senators wishing to speak during second reading stand and be recognized and not raise their microphones.

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate adjourn until 1:00 p.m., Tuesday, January 20, 2009. Motion carried.

Senate adjourned at 1:55 p.m.

MARILYN MILLER  
Secretary of the Senate

ROBERT STORY  
President of the Senate